



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Zauderer, M.

Appl. No.: 09/966,746

Filed: October 1, 2001

For: **Method of Screening for  
Therapeutics for Infectious  
Diseases**

Confirmation No.: 3613

Art Unit: 1648

Examiner: Lucas, Z.

Atty. Docket: 1821.0060001/EKS/AJK

**First Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on January 14, 2003, in connection with the above-captioned application. A copy of each document is provided.

Applicants' would like to bring to the Examiner's attention the following related co-pending applications:

U.S. Patent Application No. 09/824,787, Zauderer et al., filed April 4, 2001, now published as US 2002/0155447 A1 (Document **AK1**);

U.S. Patent Application No. 10/457,829, Zauderer et al., filed June 10, 2003, now published as US 2004/0063907 A1 (Document **AA2**);

which are directed to related technical subject matter. The identification of these U.S. Patent Applications are not to be construed as a waiver of secrecy as to those

applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

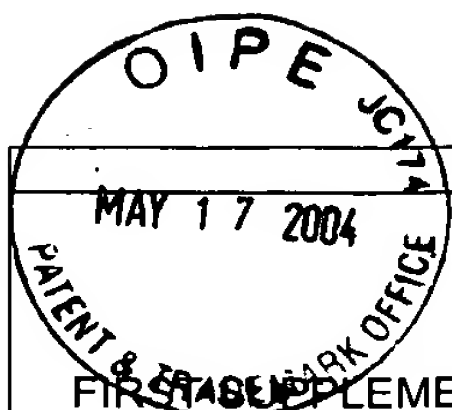
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Andrea Jo Kamage*

Andrea Jo Kamage  
Agent for Applicant  
Registration No. 43,703

Date: May 17, 2004

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600



FORM PTO-1449

FIRST STAGE SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENTATTY. DOCKET NO.  
1821.0060001/EKS/AJKAPPLICATION NO.  
09/966,746FIRST NAMED INVENTOR  
Zauderer, M.FILING DATE  
October 1, 2001ART UNIT  
1648

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK1	2002/0155447 A1	10/24/2002	Zauderer <i>et al.</i>			04/04/2001

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	<u>15</u>	di Marzo Veronese, F., <i>et al.</i> , "Autoreactive Cytotoxic T Lymphocytes in Human Immunodeficiency Virus Type 1-Infected Subjects," <i>J. Exp. Med.</i> 183:2509-2516, Rockefeller University Press (1996)
	AT	<u>15</u>	Overwijk, W.W., <i>et al.</i> , "Vaccination with a recombinant vaccinia virus encoding a "self" antigen induces autoimmune vitiligo and tumor cell destruction in mice: Requirement for CD4 <sup>+</sup> T lymphocytes," <i>Proc. Natl. Acad. Sci. USA</i> 96:2982-2987, National Academy of Sciences (March 1999)

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



~~MAY 17 2004~~

FORM PTO-1449

~~TRADE MARK~~  
FIRST SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT

ATTY. DOCKET NO.  
1821.0060001/EKS/AJK

APPLICATION NO.  
09/966,746

FIRST NAMED INVENTOR  
Zauderer, M.

**FILING DATE**  
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	2004/0063907 A1	04/01/2004	Zauderer <i>et al.</i>			06/10/2003
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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	AL						Yes No
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	AS		
	AT		

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